

REMARKS/ARGUMENTS

Consideration of the above-identified application in view of the present amendment is respectfully requested. By this amendment, claims 1-13 are amended. Claims 1-13 are currently pending. Claims 1 and 8 are amended to correct the objection at item 1 of this action. Claims 1-13 are amended to remove the reference numbers or letter associated with the claimed elements for better form. Claim 1 is also amended to replace the phrase "its free edge portions" with --free edge portions of said sealing element-- for better form. Claims 1 and 8 are also amended to remove "characterized in that", and replace "is" with --being-- at the appropriate places for better form. Claims 2-7 and 9-13 are amended to replace "characterized in that" with --wherein-- at the appropriate places for better form. These amendments to claims 1-13 are not done to further distinguish over the cited references.

Applicant appreciates the allowance of claims 7, 9, and 12 if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. Accordingly, claims 7, 9, and 12 are amended to include all of the limitations of the base claim and intervening claims. Claims 7, 9, and 12 are also amended to correct the objection at item 1 of this action, remove "characterized in that", and replace "is" with --being-- at the appropriate places for better form. Claim 7 is also amended to replace the phrase "its free edge portions" with --free edge portions of said sealing element-- for better form. These amendments to claims 7, 9, and 12 are not done to further distinguish over the cited references. Therefore, claims 7, 9, and 12 are allowable.

Claim 3 is amended to replace the phrase "is upset in axial direction" with -- has a wave-like contour in cross-section-- for better clarity in order to overcome the rejection of claim 3 under 35 U.S.C. 112. Claim 10 is amended to provide sufficient antecedent basis to the mounting flange limitation in order to overcome the rejection of claim 10 under 35 U.S.C. 112.

Claim 1 stands rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,106,002 to Haesaert et al. ("Haesaert"). Claim 1 also stands rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,176,511 to Adkisson et al. ("Adkisson"). Claim 1 is amended to recite that the gas generator is mounted so as to be capable of swinging in order to amortize vibrations. Neither Haesaert nor Adkisson disclose or suggest that the gas generator is mounted so as to be capable of swinging in order to amortize vibrations. Haesaert discloses in Figs. 1 and 2 a gas bag module with a gas generator flange 8 being pressed against the generator carrier 2 when the gas diffuser chamber 18 is filled with gas provided upon activation of the gas generator 6. Haesaert discloses only that when the pressure in the chamber rises due to the gas generated by the pyrotechnic charge of the gas generator, the flange 8 is distorted downwardly towards the planar portion 3 of the plate or housing 2, thus compressing the region 15 of the fabric forming the air-bag 14 that surrounds the aperture 16 (see column 4, lines 2-8). Haesaert fails to disclose or suggest that the gas generator is mounted so as to be capable of swinging in order to amortize vibrations.

Adkisson discloses an air bag module including a damping mechanism 50 provided between an inflator 14 and a back wall 32 of a module container 12. The damping mechanism has a corrugated metal body 52 including several ribs 54 to 60.

Under normal conditions, the inflator is firmly mounted and prevented from any movement (see column 2, lines 60 to 65 and column 4, lines 11 to 14). Only upon actuation of the inflator, the metal body 52 enables a limited movement of the inflator in the inward direction. Thereby, the side walls of the ribs are deformed and preferably remove all kinetic energy of the inflator (see column 5, lines 8 to 10). Thus, Adkisson does not disclose or suggest a gas generator being mounted so as to be capable of swinging in order to amortize vibrations.

Further, claim 1 is amended to recite that the sealing element is fastened to the gas generator and to the generator carrier, respectively, in order to seal an interior of the gas bag from a space between the gas generator and the generator carrier before and on filling of the gas bag. Neither Haesaert nor Adkisson disclose or suggest a sealing element that is fastened to the gas generator and to the generator carrier, respectively, in order to seal an interior of the gas bag from a space between the gas generator and the generator carrier before and on filling of the gas bag.

By contrast, Haesaert discloses in Fig. 1 that the flange is spaced from the plate 2 and air bag 14 and thus does not seal the space between the gas generator 6 and plate 2 before activation of the air bag. In fact, Haesaert mentions that the elongated fastening elements 17 are of such a length that they are not secured sufficiently tightly to compress that part 15 of the air-bag 14 which is trapped between the flange 8 and the planar portion of the plate 2 so that the fabric of the air-bag does not deteriorate due to compression (column 3, lines 41- 50). Haesaert further discloses that the fastening elements permit relative movement between the lip 13, flange 8, and plate 2 (column 3, lines 47-50). By deflection of the flange 8 on

activation of the gas generator 6, a gas flow path is created to the interior 21 of the gas bag 14 (see Figure 2 and column 4, lines 36-40). Thus, Haesaert fails to disclose or suggest a sealing element that is fastened to the gas generator and to the generator carrier, respectively, in order to seal an interior of the gas bag from a space between the gas generator and the generator carrier before and on filling of the gas bag.

Adkisson merely discloses a damping mechanism that is located outside of the air bag 16 between the inflator and back wall 32 of the container 12. The damping mechanism does not have a sealing element at all. Moreover, the damping mechanism 50 is neither an encircling element, because it does not surround anything, nor is it an elastically deformable member because it absorbs the kinetic energy of the inflator. Thus, Adkisson fails to disclose or suggest a sealing element that is fastened to the gas generator and to the generator carrier, respectively, in order to seal an interior of the gas bag from a space between the gas generator and the generator carrier before and on filling of the gas bag.

Therefore, in view of the above mentioned reasons, claim 1 is allowable. Claims 2, 5, and 6 depend from claim 1 and are therefore allowable as depending from an allowable claim and for the specific features recited therein.

Claim 3, which depends on claim 1, should be allowed for the same reasons as claim 1 and also for the additional feature that the sealing element is constructed in the manner of a cylinder and has a wave-like contour in cross-section. Haesaert does not disclose or suggest this feature. The flange 8 of Haesaert is neither formed as a cylinder nor does it have a wave-like contour in cross section. Thus, claim 3 is allowable.

Claim 4, which depends on claim 1, should be allowed for the same reasons as claim 1 and also for the additional feature that a free edge portion of the sealing element is fastened to a mounting flange of the gas generator. Neither Haesaert nor Adkisson discloses or suggests this feature. Merriam-Webster's Online dictionary defines flange as "a rib or rim for strength, for guiding, or for attachment to another object". The side wall 7 of gas generator 6 of Haesaert is not considered to be a flange 8 under this definition. Further, if the flange 8 of the gas generator 6 in any of the embodiments of Haesaert is considered a sealing element, then the upturned portion of the sealing element cannot be regarded as a flange of the gas generator. In Adkisson too, the sidewall of the inflator 14 is not a mounting flange. Thus, the metal body 52 of the damping mechanism 50 of Adkisson is not mounted to a mounting flange of the inflator 14. Therefore, claim 4 is allowable.

Claim 8 stands rejected under 35 U.S.C. 102(b) as being anticipated by Adkisson. Claim 8 is amended to recite that the gas generator is mounted so as to be capable of swinging in order to amortize vibrations. Adkisson does not disclose or suggest that the gas generator is mounted so as to be capable of swinging in order to amortize vibrations. Adkisson merely discloses an air bag module including a damping mechanism 50 provided between an inflator 14 and a back wall 32 of a module container 12. The damping mechanism has a corrugated metal body 52 including several ribs 54 to 60. Under normal conditions, the inflator is firmly mounted and prevented from any movement (see column 2, lines 60 to 65 and column 4, lines 11 to 14). Only upon actuation of the inflator, the metal body 52 enables a limited movement of the inflator in the inward direction. Thereby, the side walls of the ribs are deformed and preferably remove all kinetic energy of the inflator

(see column 5, lines 8 to 10). Thus, Adkisson does not disclose or suggest a gas generator being mounted so as to be capable of swinging in order to amortize vibrations.

Further, claim 8 is amended to recite that the sealing element seals the interior of the gas bag from a space between the gas generator and the generator carrier on filling of the gas bag. Adkisson does not disclose or suggest this feature. Adkisson merely disclose a damping mechanism that is located outside of the air bag 16 between the inflator and back wall 32 of the container 12. The damping mechanism does not have a sealing element at all. Moreover, the damping mechanism 50 is neither an encircling element, because it does not surround anything, nor is it an elastically deformable member because it absorbs the kinetic energy of the inflator. Thus, Adkisson fails to disclose or suggest a sealing element that seals the interior of the gas bag from a space between the gas generator and the generator carrier on filling of the gas bag.

Thus, in view of the above-mentioned reasons, claim 8 is allowable. Claims 11 and 13 depend from claim 8 and are therefore allowable as depending from an allowable claim and for the specific features recited therein.

Claim 10, which depends on claim 8, should be allowed for the same reasons as claim 8 and also for the additional feature that the sealing element is fastened to a mounting flange of the gas generator. Adkisson does not disclose or suggest this feature. Merriam-Webster's Online dictionary defines flange as "a rib or rim for strength, for guiding, or for attachment to another object". In Adkisson, the sidewall of the inflator 14 is not a mounting flange under this definition. Thus, the metal body

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52 of the damping mechanism 50 of Adkisson is not mounted to a mounting flange of the inflator 14. Therefore, claim 10 is allowable.

In view of the foregoing, it is respectfully requested that the amendment be entered and the application allowed.

Please charge any deficiency or credit any overpayment in the fees for this amendment to our Deposit Account No. 20-0090.

Respectfully submitted,

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